

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 17-cr-96-pp

v.

MARCELLO MAYS,

Defendant.

**ORDER DENYING DEFENDANT'S *PRO SE* MOTION TO REMOVE JUVENILE
RECORD (DKT. NO. 463)**

On January 16, 2020, this federal court sentenced the defendant to serve 100 months for his role in a federal drug conspiracy. Dkt. Nos. 425, 426.

On September 29, 2020, the court received from the defendant a motion asking for the court's assistance in removing a 1998 juvenile sexual assault adjudication from his record. Dkt. No. 463. The defendant says he was only thirteen when this event occurred and that he had no idea what he was doing or how the justice system worked. Id. at 1. He explains his traumatic childhood and what he has gone through to get over it. Id. at 2. He also says that the court told him that if he stayed out of trouble the adjudication would be removed from his juvenile record. Id. He explains that he has changed—he has found God, educated himself, gotten married—but he says that he will never have a chance to be a regular person with this adjudication on his record. Id. at 3.

The court sympathizes with what the defendant has been through, and it commends him for trying to turn his life around and live the right way. This federal court, however, does not have the authority to remove, or “expunge” a state-court juvenile adjudication from someone’s record. Only the state court has the authority to expunge a state-court juvenile adjudication. The best the court can do is advise the defendant to consult with an experienced criminal defense lawyer.

The court wishes the defendant the best of luck in his efforts and encourages him to keep striving to improve.

The court **DENIES** the defendant’s *pro se* motion to remove juvenile record. Dkt. No. 463.

Dated in Milwaukee, Wisconsin this 6th day of October, 2020.

BY THE COURT:


HON. PAMELA PEPPER
Chief United States District Judge